

## **CONSTITUTION OF THE MIDBRAK TAX PAYER ASSOCIATION**

### **1. NAME**

1.1 The name of the Association will be the Midbrak Ratepayers' Association and will be referred to as the Association.

1.2 The Midbrak Area will consist of the following wards:

From Little Brak River, including Riverside, to the eastern boundary of Tergniet including Toekoms en De Lange extensions.

### **2. OBJECTIVES OF THE ASSOCIATION**

2.1 To protect the interests of owners and residents of the said area, within the framework of existing and future local government, regulations and laws that may be made by the Government of the Republic of South Africa.

To protect the interests of owners and residents of the Midbrak area, within the framework of existing regulations and laws made by the Local and Provincial Authorities.

2.2 To encourage active citizens' involvement in the management of the Midbrak area, while respecting the individuality, character and independence of the various areas.

2.3 To link with other local governments or associations in the best interest of the Midbrak area.

To link with the Local and Provincial Authorities and Associations in the best interest of the Midbrak area.

### **3. MEMBERSHIP**

All owners who own property in the MIDBRAK AREA and pay property taxes at the Mossel Bay Municipality are automatically members.

However, any such person has the right to resign in writing as a member.

### **4. EXECUTIVE COMMITTEE**

4.1 The Committee shall consist of two members of each ward in the above mentioned areas and will be elected annually at the Annual General Meeting. A chairperson, deputy chairman, secretary and treasurer will be elected by the committee at their first meeting.

4.2 The Executive Committee shall conduct the interests of the Association in accordance with Clause 2.1, 2.2, 2.3 and on proposals by the members of the Association.

4.3 The Committee shall meet at least once every three months.  
The chairman may, however, hold a special meeting at any time, provided that 75% of the Committee members are informed and agree.  
Any decision taken must be ratified by a quorum.

4.4 Upon receipt of a written request from three or more committee members, the chairman must convene within two weeks.

4.5 More than half of the committee members will form a quorum.

- 4.6 If any member of the committee is absent from more than two consecutive committee meetings, without proper apology, he / she will forfeit his / her position as committee members.
- 4.7 The Committee has authority to co-opt a taxpayer who qualifies if there is a Committee vacancy.
- 4.8 A committee member must resign in writing.
- 4.9 Any application for membership may be refused by the Committee without any explanation.
- 4.10 Any member or committee members shall be competent to:
- ! Recruit members for the association.
  - ! Encourage residents to engage and participate in the activities of the Association.
- 4.11 The Committee will ensure that minutes of meetings of the Committee and of the Association are kept.
- 4.12 Financial matters will be handled properly and recorded by the Treasurer in accordance with clause 6.

## **5 MEETING PROCEDURE**

- 5.1 The Chairperson, or in his absence the Vice-Chairman, will chair the Association. If both are absent, the meeting will nominate a chairman from the attendants to lead the relevant meeting.
- 5.2 Voting may be decided with the appearance of hands, except for three or more members present, voting ballot papers.
- 5.3 Any decision may be decided by a simple majority.
- 5.4 The chairman will have an ordinary and decisive vote in the event of a tie.

## **6 SECRETARY AND FINANCIAL AFFAIRS**

- 6.1 The Secretary and Treasurer are responsible for all administrative and financial matters from the Association.
- 6.2 A bank account must be opened in the name of the Association.
- 6.3 Two signatures are required for any financial withdrawal. At the first committee meeting after the Annual General Meeting, three members will be nominated for signing power. The Treasurer will be notified of all financial transactions which took place during his / her absence.
- 6.4 Two committee members will be appointed to audit the financial statements before the Annual General Meeting.

## **7. ANNUAL GENERAL MEETING**

- 7.1 An annual general meeting will be held during December.

- 7.2 At least two weeks before the Annual General Meeting, notices will be published in the local newspapers of George, Mossel Bay and Oudtshoorn. Notices will also be posted at shops, churches, cafes and shops in the area.
- 7.3 Twenty-five (25) members will form a quorum at the Annual General Meeting.
- 7.4 The agenda of the meeting will include the following:
- 7.4.1 Notice of meeting.
- 7.4.2 Apologies
- 7.4.3 Notification of matters on the agenda.
- 7.4.4 Minutes of previous Annual General Meeting.
- 7.4.5 Cases arising from the minutes.
- 7.4.6 Chairman's Report.
- 7.4.7 Financial report.
- 7.4.8 Election of committee.
- 7.4.9 General matters as in section 7.4.3.

## **8 SPECIAL GENERAL MEETING**

- 8.1 The Committee shall convene a special General Meeting if twelve or more ordinary members request such meeting to the Committee, with duly substantiated complaints or requests which do not prejudice the Constitution of the Association.
- 8.2 The committee may convene a general meeting if it is deemed to be in the interests of the members and the Association.
- 8.3 Twenty-five (25) members will form a quorum for a Special General Meeting.
- 8.4 Fourteen (14) days notice is required for a Special General Meeting.

## **9 MISCONDUCT**

- 9.1 The Committee has the right to suspend any member guilty of misconduct that would harm the Association or any provision of the Constitution, with written notice from the Secretary.
- 9.2 Members who are suspended according to clause 9.1 may appeal against their suspension. However, the final decision of the Committee will be binding.
- 9.3 All suspensions will be reported in the Chairman's Report at the Annual General Meeting.

## **10 AMENDMENTS TO THE CONSTITUTION**

Amendments to the Constitution may be made with a 2/3 majority vote of members present at a Annual General Meeting only if a notice for amendments to the Constitution is submitted 14 days before such a meeting and advertised as an agenda item for the meeting. **Date of latest amendment: Annual General Meeting of 18 December 2017**